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NEEDLE &amp; ROSENBERG



## UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

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06 OCT 1998

U.S. APPLICATION NO. 09/091578	FIRST NAMED APPLICANT MADISON E	ATTY. DOCKET NO. 191910002
INTERNATIONAL APPLICATION NO. PCT/US96/20577		
I.A. FILING DATE 19 DEC 96	PRIORITY DATE 21 DEC 95	
DATE MAILED: 03 AUG 1998		

MARY L. MILLER  
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127 PEACHTREE STREET NE  
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ATLANTA, GA 30303

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☒ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.

☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed \_\_\_\_\_.

☐ Verified Statement Claiming Small Entity Status.

☐ Priority Document.

☒ Copy of the International Search Report ☐ and copies of the references cited therein.

☐ Other:

MRS due 9-3-98  
MRI due 10-3-98  
MR2 due 11-3-98  
MR3 due 12-3-98  
MR4 due 1-3-99  
MR5 due 2-3-99

DGP/MLM

<b>DOCKETED</b>	
By: <u>CSB</u>	Date: <u>8-7-98</u>
Reviewed: <u>MLM 8/10/98</u>	Name/Date

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later that the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice *MUST* be returned with this response.**

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Paulette Kidwell, Paralegal

Telephone: 703-305-3656



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DOCKET NUMBER 19191.0002US  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of )  
 )  
Madison et al. )  
 )  
Serial No.: 09/091,578 )  
 )  
U.S. Filing Date: June 19, 1998 )  
 )  
International )  
Filing Date: December 19, 1996 )  
 )  
For: TARGETED THERAPEUTIC OR DIAGNOSTIC )  
AGENTS AND METHODS OF MAKING AND )  
USING SAME )

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Assistant Commissioner for  
Patents  
BOX PCT  
Washington, D.C. 20231

NEEDLE & ROSENBERG, P.C.  
Suite 1200, The Candler Building  
127 Peachtree Street, N.E.  
Atlanta, Georgia 30303-1811

October 2, 1998

Sir:

In response to the August 3, 1998 Notification of Missing Requirements under 35 U.S.C.

371 in the United States Designated/Elected Office, enclosed are:

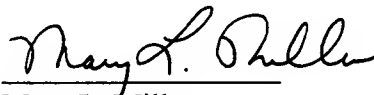
1. an executed Declaration;
2. a Verified Statement Claiming Small Entity Status; and
3. a copy of the Notification.

ATTORNEY DOCKET NO. 19191.0002  
Serial No. 09/091,578

A check in the amount \$55.00 and a Request for Extension of Time are enclosed. This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,


NEEDLE & ROSENBERG, P.C.



Mary L. Miller  
Registration No. 39,303

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I hereby certify that this Response is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner of Patents, BOX PCT, Washington, D.C. 20231, on October 2, 1998.

  
Mary L. Miller

October 2, 1998  
Date